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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 SECURITIES AND EXCHANGE  
COMMISSION,

12 Plaintiff,

13 vs.

14 MAM WEALTH MANAGEMENT, LLC;  
15 MAMW REAL ESTATE FUND  
GENERAL PARTNER, LLC; ALEX  
16 MARTINEZ; and RAPHAEL SANCHEZ,

17 Defendants.

Case No. CV 11-2934 SJO (JCx)  
**JUDGMENT OF PERMANENT  
INJUNCTION AND OTHER  
RELIEF AS TO DEFENDANT  
MAMW REAL ESTATE FUND  
GENERAL PARTNER, LLC**

1 The Securities and Exchange Commission having filed a Complaint and  
2 Defendant MMW Real Estate Fund General Partner, LLC (“Defendant”) having  
3 entered a general appearance; consented to the Court’s jurisdiction over Defendant  
4 and the subject matter of this action; consented to entry of this Judgment of  
5 Permanent Injunction and Other Relief (“Judgment”) without admitting or denying  
6 the allegations of the Complaint (except as to jurisdiction); waived findings of fact  
7 and conclusions of law; and waived any right to appeal from this Judgment:

8 **I.**

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant  
10 and Defendant’s agents, servants, employees, attorneys, and all persons in active  
11 concert or participation with them who receive actual notice of this Judgment by  
12 personal service or otherwise are permanently restrained and enjoined from  
13 violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”), 15  
14 U.S.C. § 77q(a), in the offer or sale of any security by the use of any means or  
15 instruments of transportation or communication in interstate commerce or by use  
16 of the mails, directly or indirectly:

- 17 (a) to employ any device, scheme, or artifice to defraud;  
18 (b) to obtain money or property by means of any untrue statement of a  
19 material fact or any omission of a material fact necessary in order to  
20 make the statements made, in light of the circumstances under which  
21 they were made, not misleading; or  
22 (c) to engage in any transaction, practice, or course of business  
23 which operates or would operate as a fraud or deceit upon the  
24 purchaser.

25 **II.**

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
27 Defendant and Defendant’s agents, servants, employees, attorneys, and all persons  
28 in active concert or participation with them who receive actual notice of this

Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

### III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3). The Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission. Prejudgment interest shall be calculated from April 1, 2009, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the Commission’s motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from arguing that it did not violate the federal securities laws as alleged in the Complaint; (b) Defendant may not challenge the validity of the Consent or this Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court

1 may determine the issues raised in the motion on the basis of affidavits,  
2 declarations, excerpts of sworn deposition or investigative testimony, and  
3 documentary evidence, without regard to the standards for summary judgment  
4 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection  
5 with the Commission's motion for disgorgement and/or civil penalties, the parties  
6 may take discovery, including discovery from appropriate non-parties.

7 **IV.**

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
9 Consent is incorporated herein with the same force and effect as if fully set forth  
10 herein, and that Defendant shall comply with all of the undertakings and  
11 agreements set forth therein.

12 **V.**

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this  
14 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms  
15 of this Judgment.

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17  
18 Dated: January 31, 2012



19 HON. S. JAMES OTERO  
20 UNITED STATES DISTRICT JUDGE  
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